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OCT 20 2004

**Response Under 37 C.F.R. § 1.116
Expedited Procedure
Examining Group 2600**

**PATENT
ATTORNEY DOCKET NO. 053933-5008**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Ichiro MORISHITA, *et al.*

Application No.: 09/821,738

Filed: March 30, 2001

For: **DYNAMICALLY CONTROLLED
DIFFRACTION GRATING
(As Amended)**

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) Confirmation No: 5464

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) Group Art Unit: 2655

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) Examiner: G. Patel

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) Mail Stop AF
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**Mail Stop AF
The Commissioner of Patents
Arlington, VA 22202**

Sir:

**AMENDMENT AND REQUEST FOR RECONSIDERATION
UNDER 37 C.F.R. § 1.116**

In response to the Final Office Action dated March 31, 2004 (Paper No. 9), the period of response to which extends through June 30, 2004, entry of the following amendments is respectfully requested to place the application in clear condition for allowance or, alternatively, in better form for appeal.